

Appl. No. : 10/695,401
Filed : October 27, 2003

REMARKS

The March 9, 2006 Final Office Action was based upon pending Claims 1-44. This Amendment cancels Claims 11-44 without prejudice or disclaimer. Thus, after entry of this Amendment, Claims 1-10 are pending and presented for further consideration.

The Examiner allowed Claims 1-10 in the March 9, 2006 Final Office Action.

Further, the Examiner rejected Claims 11-18, 23-31 and 36-40 under 35 U.S.C. §102(b) as being anticipated by U.S. Publication Number 2002/0145035 to Jones ("the Jones publication").

Further, the Examiner rejected Claims 9, 10, 19-22, 32-35 and 41-44 under 35 U.S.C. §103(a) as being unpatentable over the Jones publication in view of U.S. Publication No. 2003/0217003 to Weinflash, et al. ("the Weinflash publication").

Allowed Claims

The Examiner allowed Claims 1-10 in the March 9, 2006 Final Office Action.

Rejection of Claims 11-18, 23-31 and 36-40 under 35 U.S.C. §102(b)

The Office Action rejected Claims 11-18, 23-31 and 36-40 under 35 U.S.C. §102(b) as being anticipated by "the Jones publication".

By this amendment, Applicants have canceled Claims 11-18, 23-31 and 36-40 without prejudice or disclaimer. Accordingly, Applicants respectfully request the Examiner to withdraw the objection under 35 U.S.C. §102(b) as being anticipated by the Jones publication.

Rejection of Claims 19-22, 32-35 and 41-44 under 35 U.S.C. §103(a)

Further, the Office Action rejected Claims 19-22, 32-35 and 41-44 under 35 U.S.C. §103(a) as being unpatentable over the Jones publication in view of U.S. Publication No. 2003/0217003 to Weinflash, et al. ("the Weinflash publication").

By this amendment, Applicants have canceled Claims 19-22, 32-35 and 41-44 without prejudice or disclaimer. Accordingly, Applicants respectfully request the Examiner to withdraw the objection under 35 U.S.C. §103(a) as being unpatentable over the Jones publication in view of the Weinflash publication.

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Request For Telephone Interview

Pursuant to M.P.E.P. § 713.01, in order to expedite prosecution of this application, Applicant's undersigned attorney of record hereby formally requests a telephone interview with the Examiner as soon as the Examiner has considered the effect of the arguments presented above. Applicant's attorney can be reached at (949) 721-2988 or at the number listed below.

Conclusion

Although amendments and cancellations have been made, no acquiescence or estoppel is or should be implied thereby. Rather, the amendments and cancellations are made only to expedite prosecution of the present application, and without prejudice to presentation or assertion, in the future, of claims on the subject matter affected thereby. Furthermore, any arguments in support of patentability and based on a portion of a claim should not be taken as founding patentability solely on the portion in question; rather, it is the combination of features or acts recited in a claim which distinguishes it over the prior art.

In view of the foregoing, the present application is believed to be in condition for allowance, and such allowance is respectfully requested. If further issues remain to be resolved, the Examiner is cordially invited to contact the undersigned such that any remaining issues may be promptly resolved. Also, please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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